

AUGUST 22 2006 AGENDA REPORTS

Agenda Item No. 5a.

TO: Mayor and City Council Members

SUBJECT: Petition to construct a Water Distribution System for Clifton Cove Addition, Clifton Heights Commercial Additions and two unplatted tracts (north of 63rd St. South, along both sides of Clifton) (District III)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the new Petition.

Background: On November 15, 2005, the City Council approved a Petition to construct a Water Distribution System for Clifton Cove Addition. An attempt to award a construction contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget. In addition, the scope of the project has been expanded to serve a much larger area. The signature on the new Petition represents 100% of the improvement district.

Analysis: The project will serve new residential and commercial developments located on both sides of Clifton, between 63rd St. South and 55th St. South.

Financial Considerations: The existing Petition totals \$384,000 with \$238,000 assessed to the improvement district and \$146,000 paid by the Water Utility. The new Petition totals \$1,100,000 with \$709,500 assessed to the improvement district and \$390,500 paid by the Water Utility. The Utility share is for the cost of oversizing the pipe to serve future development outside the improvement district.

Goal Impact: This project will address the Efficient Infrastructure goal by providing water system improvements necessary for new residential and commercial developments. It will also address the Economic Vitality and Affordable Living goal by facilitating new development that is vital to Wichita's continued economic growth.

Legal Considerations: State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of property in the improvement district.

Recommendations/Actions: It is recommended that the City Council approve the new Petition, adopt the Resolution and authorize the necessary signatures.

Attachments: Map, CIP Sheet, Petition and Resolution

Agenda Item No. 5b.

TO: Mayor and City Council Members

SUBJECT: Petition to pave Grove from 63rd St. South to 1,350' south of 63rd St. South (District III)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Petition.

Background: The Petition has been signed by one owner representing 100% of the improvement district.

Analysis: The project will provide paved access to an industrial tract located south of 63rd St. South, east of Grove.

Financial Considerations: The Petition totals \$345,000. The funding source is special assessments.

Goal Impact: This project addresses the Efficient Infrastructure goal by improving vehicular access to an industrial area.

Legal Considerations: State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of property in the improvement district.

Recommendation/Action: It is recommended that the City Council approve the Petition, adopt the Resolution and authorize the necessary signatures.

Attachments: Map, CIP Sheet, Petition and Resolution.

Agenda Item No. 5c.

TO: Mayor and City Council Members

SUBJECT: Petitions to construct Drainage and Water System Improvements in Cheryl's Hollow Addition (north of 13th, west of 135th St. West) (District V)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the new Petitions.

Background: On December 21, 2004, the City Council approved Drainage and Water System Petitions for the Cheryl's Hollow development. A portion of the area was subsequently sold to another developer and has been replatted into Blackstone Addition. The developer of Cheryl's Hollow Addition has submitted new Petitions to modify the improvement districts to remove the land replatted into Blackstone Addition. Some of the lots in the improvement district have been sold to new homebuyers. The assessments to those lots will not change. The signatures on the petitions represents 95.32% of the lots in the improvement districts and 100% of the lots affected by the new Petitions.

Analysis: The projects provide Drainage and Water System improvements for a residential development located north of 13th, west of 135th St. West.

Financial Considerations: The Petition budgets are unaffected.

Goal Impact: The projects address the Efficient Infrastructure goal by providing public improvements required for a new residential development.

Legal Considerations: State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of property in the improvement district.

Recommendation/Action: It is recommended that the City Council approve the new Petitions, adopt the Resolutions and authorize the necessary signatures.

Attachments: Map, Petitions and Resolutions

Agenda Item No. 5d.

TO: Mayor and City Council Members

SUBJECT: Petition to construct a Sanitary Sewer Main to serve an area north of 13th Street, west of 159th Street East (District II)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Petition.

Background: The Petition has been signed by one owner representing 100% of the improvement district.

Analysis: The project will provide sanitary sewer main service to a new residential development located north of 13th Street, west of 159th Street East. It is also needed as a connection to a sanitary sewer main for the new Andover School to be located north of 21st Street, west of 159th St. East.

Financial Considerations: The Petition totals \$1,319,000, with \$1,196,000 paid by the Sewer Utility and \$123,000 assessed to the improvement district. City Council policy provides that sanitary sewer mains are funded 50% by the Sewer Utility and 50% by special assessments. However, much of the service area for this project is currently outside the City limits and cannot be assessed at this time. Sewer Main Benefit fees will be assessed to the area as it develops and will recover a large part of the Utility's share the project cost.

Goal Impact: This project addresses the Efficient Infrastructure and Economic Vitality goals by facilitating new development that is critical to Wichita's continued growth.

Legal Considerations: State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of a majority of the property in the improvement district.

Recommendation/Action: It is recommended that the City Council approve the Petition, adopt the authorizing Resolution, adopt the Resolution authorizing revenue bonds, approve the notice of intent to issue revenue bonds and authorize the necessary signatures.

Attachments: Map, CIP Sheet, Petition and Resolutions.

Agenda Item No. 6a.

TO: Mayor and City Council

SUBJECT: Community Events

INITIATED BY: Division of Arts & Cultural Services

AGENDA: Consent

Recommendation: Approve the request for street closures.

Background: In accordance with the Community Events Procedure, Wichita Black Arts Festival Association is coordinating with City of Wichita Staff, subject to final approval by the City Council.

Analysis: The following street closure request has been submitted:

38th Annual Wichita Black Arts Festival, September 2-4, 2006 McAdams Park

§ Ohio Street from 14th Street to 15th Street

§ 16th Street from Ohio to New York Street

Please see attached map.

Client will arrange to remove blockades as necessary to allow emergency vehicle access during entire designated time period. Blockades will be removed immediately upon completion of the event.

Financial Consideration: Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Goal Impact: Enhance the Quality of Life

Legal Consideration: None

Recommendation/Actions: It is recommended that the City Council approve the request subject to: (1) Hiring off-duty certified law enforcement officers as required; (2) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department. (3) Certificate of Liability Insurance on file with the Community Event Coordinator.

Agenda Item No. 7a.

TO: Mayor and City Council

SUBJECT: Agreement to Respread Assessments: Fox Ridge Addition (east of Maize, north of 29th Street North) (District V)

INITIATED BY: Department of Finance

AGENDA: Consent

Recommendation: Approve the Agreement.

Background: The landowners, Fox Ridge Development Co., Inc.; Randy Dean Custom Homes; McClellan Homes, Inc.; Legacy Homes, Inc.; Barbara Cushenberry; Scott & Shawanna Bishop; Rick & Earlene Linnabary; Greg Thornton; Doug & Martha Mann; Scott Lindebak; Randy & Mary Pfannenstiel; Paul & Marnie Frerman; Todd & Valerie Eaton; Stephen & Nancy Fagan; Linda Graves; Tom & Sharyn Mayo; Dale & Christy Alward; Daniel & Susan Tibbits; Rick & Carol Hladik; Brian Cluck & Jeanne Eichelberger; Thomas & Dawn Dwier; Chris & Stacia Williams; Randy & Candace Kretchmar; Richard & Gwendolyn Weikal; Gregory & Radona Lada; Lonnie & Karen Kliwer; Joseph Higaes; Michael & Laura Potter; Keith & Dana Johnston; and Michelle Belin & Traci Earls, have submitted an Agreement to respread special assessments within Fox Ridge Addition.

Analysis: The land was originally included in an improvement district for a street improvement project. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvement.

Financial Considerations: There is no cost to the City.

Goal Impact: The City of Wichita aggressively uses special assessments to lower the cost of residential developments. In doing so, the City's program satisfies the City Council's goal to promote Economic Vitality and Affordable Living. The program supports this goal through partnering with stakeholders in the development community and sustains affordable living by lowering the costs of home ownership.

Legal Considerations: The Agreement has been approved as to form by the Law Department.

Recommendations/Actions: It is recommended that the City Council approve the Agreement and authorize the necessary signatures.

Attachments: One original and 14 copies of the Respread Agreement.

Agenda Item No. 7b.

TO: Mayor and City Council

SUBJECT: Agreement for Installation of Railroad Signals (Districts II and IV)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Agreements.

Background: Representatives of the City, State, and Railroad Company reviewed the railroad crossings on 9th St. N., east of Zoo Boulevard (K&O) and 45th St. N., east of Rock Road (UPRR). As a result of these reviews, signal system upgrades along with the installation of new lights and gates were recommended at both locations.

Analysis: The attached Agreements will authorize the suggested signal revisions. The K&O railroad will remove and replace the existing crossing material at the crossing on 9th St. during the signal installation project. During the crossing replacement 9th St. will be closed for 2 or 3 days and the railroad will detour traffic appropriately. The signal installation work at the UPRR crossing on 45th St. should not affect traffic.

Financial Considerations: The total cost of the proposed signal system improvements will be funded one hundred percent (100%) using Federal Section 130 Funds. The estimated costs of the signal improvements are \$137,683 at the 9th St. crossing and \$153,430 at the 45th St. crossing. The Agreements obligate the City to install and maintain the necessary advance warning signs and pavement markings at the crossing area. This expense, approximately \$2,500 per location, will be paid from the Traffic Maintenance Operating Budget.

Goal Impact: This project addresses the Efficient Infrastructure goal by improving traffic flow through a major traffic corridor.

Legal Considerations: The Law Department has approved the Agreements as to legal form.

Recommendations/Actions: It is recommended that the City Council approve the Agreements and authorize the necessary signatures.

Attachments: Location map and Agreement.

Agenda Item No. 7c.

TO: Mayor and City Council

SUBJECT Funding for Public Transportation

INITIATED BY: Wichita Transit

AGENDA: Consent Agenda

Recommendation: Approve the Interlocal Agreement.

Background: Each year, the Federal Transit Administration (FTA) provides grant money for use in providing urban public transportation services. The amount of funding is based upon a complex formula involving miles driven, passenger rides provided, population area and density serviced, etc.

Analysis: The 2000 census figures enlarged the service area for which the City of Wichita is allowed to seek funds to include all of Sedgwick County and other incorporated entities within the urbanized area (UZA). The City can request funds for public transportation services to enhance the programs of Sedgwick County and the urbanized area and pass through those funds as determined by the formula. Using FY2005 carryover funds, the pass-through will be \$50,000 to Derby for planning and maintenance activities for a new service starting January 1, 2007. All figures are 80 percent federal and 20 percent matched by the receiving agency.

Financial Considerations: None

Legal Consideration: The City will have no part in operating these transportation programs. It will give guidance for the federal reporting required under the grant. By the attached interlocal agreement, the City of Derby will agree to adhere to all federal program requirements attached to the grant. The Law Department has prepared these agreements.

Recommendations/Actions: It is recommended that the City Council approve the interlocal agreement.

Agenda Item No. 7d.

TO: Mayor and City Council

SUBJECT: Contract for Psychological Services (All Districts)

INITIATED BY: Police Department

AGENDA: Consent

Recommendation: Approve the contract.

Background: The Wichita Police Department has a continuing need to contract for psychological services for self-referral counseling, fitness-for-duty assessments, critical incident stress management coordination and related training for police employees. The current contract for these services expires at the end of August.

Analysis: A request for Proposal (FP600068) was issued to secure a qualified contractor and three proposals were received. A selection committee comprised of City staff and a Wichita State University Psychology Department professor evaluated the proposals. Based upon experience, qualifications, proposal specifications, level of service, and cost, the selection committee recommends Wichita Psychiatric Consultants.

Financial Considerations: The funding for psychological services is included in the Police Department's budget.

Goal Impact: Provide a safe and secure community by providing essential psychological services to police personnel.

Legal Considerations: The Law Department has approved the contract as to form.

Recommendations/Actions: It is recommended that the City Council approve the contract and authorize the necessary signatures.

Agenda Item No. 8a.

TO: Mayor and City Council Members

SUBJECT: Agreement for Design Services for Monarch Landing Addition (north of 21st Street, west of 159th Street East) (District II)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Agreement.

Background: The City Council approved the sanitary sewer improvements in Monarch Landing Addition on August 8, 2006.

Analysis: The proposed Agreement between the City and MKEC Engineering Consultants, Inc. (MKEC) provides for the design of bond financed improvements consisting of sanitary sewer in Monarch Landing Addition. Per Administrative Regulation 1.10, staff recommends that MKEC be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Financial Considerations: Payment to MKEC will be on a lump sum basis of \$49,500 and will be paid by special assessments and Sewer Utility.

Goal Impact: This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of sewer improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

Legal Considerations: The Agreement has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the Agreement and authorize the necessary signatures.

Attachments: Agreement

Agenda Item No. 8b.

TO: Mayor and City Council Members

SUBJECT: Agreement for Design Services for Falcon Falls 3rd Addition (north of 45th Street North, west of Hillside) (District I)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Agreement.

Background: The City Council approved the paving improvements in Falcon Falls 3rd Addition on November 8, 2005.

Analysis: The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond financed improvements consisting of paving in Falcon Falls 3rd Addition. Per Administrative Regulation 1.10, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Financial Considerations: Payment to Baughman will be on a lump sum basis of \$28,400 and will be paid by special assessments.

Goal Impact: This Agreement addresses the Efficient Infrastructure goal by providing the engineering design services needed for the construction of paving improvements in a new subdivision. It also addresses the Economic Vitality and Affordable Living goal by providing public improvements in new developments that are vital to Wichita's continued economic growth.

Legal Considerations: The Agreement has been approved as to form by the Law Department.

Recommendation/Action: It is recommended that the City Council approve the Agreement and authorize the necessary signatures.

Attachments: Agreement

Agenda Item No. 9a.

TO: Mayor and City Council Members

SUBJECT: Change Order: 29th St. North Improvement, Ridge to Tyler (District V)

INITIATED BY: Department of Public Works

AGENDA: Consent

Recommendation: Approve the Change Order.

Background: On February 7, 2006, the City Council approved a construction contract with LaFarge North America to improve 29th St. North, between Ridge and Tyler. During the construction of the project, a number of unforeseen items developed that should be addressed as a change order:

A water line was lowered to avoid a conflict with a storm sewer pipe.

A concrete wall was replaced due to a conflict with a storm drain and an inlet was relocated.

Extra excavation and storm sewer pipe is needed to properly drain adjoining property.

Analysis: A Change Order has been prepared for the additional work. Funding is available within the project budget.

Financial Considerations: The total cost of the additional work is \$48,605 with \$25,250 paid by Federal Grants, \$17,043 paid by the Water Utility and \$6,312 paid by City General Obligation bonds. The original contract amount is \$3,042,334. This Change Order represents 1.60% of the original contract amount.

Goal Impact: This project addresses the Efficient Infrastructure goal by improving the traffic capacity and safety along a major transportation corridor.

Legal Considerations: The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Recommendation/Action: It is recommended that the City Council approve the Change Order and authorize the necessary signatures.

Attachments: Change Order.

Agenda Item No. 10a.

TO: Mayor and City Council Members

SUBJECT: Acquisition of Permanent Easements by Eminent Domain for Main 19, 4-Mile Creek Sewer Project (District II)

INITIATED BY: Office of Property Management

AGENDA: Consent

Recommendation: Adopt resolution and approve and place on first reading the ordinance providing for the acquisition by eminent domain of certain real property.

Background: The Water and Sewer Department is designing a project to extend sanitary sewer lines to newly developing areas in northeast Wichita. The project will serve new residential developments in the area west 159th Street East and north of 13th Street North as well areas further south to I-35. The City Council approved this project on August 22, 2006. The project requires the acquisition of permanent and temporary easements across the property located at 15455 East 13th. Agreement has not been reached with this property owner. The project requires a permanent easement over 2.60 acres of the site and a temporary easement over 8.56 acres of the site.

Analysis: City staff has been attempting to negotiate a purchase of the easements but have been unable to reach an agreement with the owner. An offer of \$75,000 was made for the acquisition. The owner has requested \$192,000 plus no charges for the sewer assessment district or any future sewer hookups. Staff will continue to negotiate with the owner, but due to project timing it is necessary to initiate eminent domain.

Financial Considerations: The cost of this acquisition will be paid for by assessments to the improvement district and the City at large.

Goal Impact: The acquisition of this parcel is necessary to ensure efficient infrastructure as this area is rapidly growing.

Legal Considerations: The Law Department has approved the resolution and ordinance as to form.

Recommendation/Action: Adopt the resolution and approve and place on first reading the ordinance providing for the acquisition by eminent domain of certain real property and directing the City Attorney to file the appropriate proceedings in the District Court to accomplish such acquisition.

Attachments: Area Map
Condemnation Resolution
Condemnation Ordinance

Agenda Item No. 11.

TO: Mayor and City Council Members

SUBJECT: Repair or Removal of Dangerous & Unsafe Structures
Council Districts I

INITIATED BY: Office of Central Inspection

AGENDA: Consent

Recommendations: Adopt the resolutions.

Background: On August 7, 2006, the Board of Code Standards and Appeals (BCSA) held a hearing on the following seven (7) properties. These properties are considered dangerous and unsafe structures, and are being presented to schedule a condemnation hearing before the Governing Body.

Analysis: Violation notices have been issued on these structures, however, compliance has not been achieved. Pre-condemnation and formal condemnation letters were issued and the time granted has expired. No action has been taken to repair or remove these properties.

Property Address	Council District
a. 1134 North Poplar	I
b. 221 North Spruce	I
c. 1055 North Green	I
d. 1625 North Grove	I
e. 2302 North Piatt	I
f. 520 West Clark	III
g. 1828 South Santa Fe	III

Goal Impact: On January 24, 2006 the City Council adopted five (5) goals for the City of Wichita. These include: Provide a Safe and Secure Community, Promote Economic Vitality and Affordable Living, Ensure Efficient Infrastructure, Enhance Quality of Life, and Support a Dynamic Core Area & Vibrant Neighborhoods. This agenda item impacts the goal indicator to Support a Dynamic Core Area and Vibrant Neighborhoods: Continued revitalization of the Core Area. Dangerous building condemnation actions, including demolitions, remove blighting and unsafe buildings that are detrimental to Wichita neighborhoods.

Legal Considerations: These structures have defects that under Ordinance No. 28-251 of the Code of the City of Wichita, shall cause them to be deemed as dangerous and unsafe buildings, as required by State Statute for condemnation consideration.

Recommendations/Actions: Adopt the attached resolutions to schedule a hearing and place these matters on the agenda for a Hearing before the Governing Body on October 3, 2006 at 9:30 a.m. or as soon thereafter.

Attachments: Letters to Council, Summaries, and Resolutions.

Agenda Item No 12.

TO: Mayor and City Council

SUBJECT: Award of Private Lot Cleanup (Nuisance Abatement) Contract

INITIATED BY: Environmental Services Department

AGENDA: Consent

Recommendation: Approve awarding the contracts

Background: The Department of Environmental Services supports neighborhood maintenance and improvement through abatement of nuisances under Titles 7 and 8 of the City Code. Kansas law and local ordinances allow the City to clean up private property that is in violation of environmental standards after proper notification of the responsible party.

A private contractor performs the work, and the City bills the cost to the property owner directly or as a special property tax assessment. Two contractors submit not-to-exceed estimates on each property to be cleaned, based on a set hourly labor and equipment schedule, and a work order is issued to the contractor furnishing the low estimate. The current contract expires on August 31; four proposals were received in response to the City's Request for Proposal issued on June 30.

Analysis: A Staff Screening and Selection Committee reviewed proposals on July 17. Proposals were evaluated on the basis of qualifications, experience, references, and costs. Telephone interviews, with all four companies submitting proposals, were held on August 1. Based on these criteria the Committee recommends award of the contracts to Green-Glo and H.D. Mills & Sons.

Financial Considerations: Funding for private lot cleanup has been provided in the City's 2006 adopted and 2007 proposed budgets.

Legal Considerations: The Law Department will review and approve the contracts as to form. The contracts will be for one year with an annual renewal options for an additional two years.

Goal: This supports Dynamic Core Area and Vibrant Neighborhoods.

Recommendations/Actions: It is recommended that the City Council approve contracts with Green-Glo and H.D. Mills & Sons to provide private lot cleanup, and authorize the necessary signatures.

`Agenda Item No. 13.

TO: Mayor and City Council Members

SUBJECT: Weapons Destruction

INITIATED BY: Law Department

AGENDA: Consent

Recommendation: Receive and file the report.

Background: The Police Department has requested authorization to destroy several weapons which have been confiscated in criminal activity but are no longer needed as evidence.

Analysis: City Code provides that weapons seized in connection with criminal activity shall be destroyed or forfeited to the Wichita Police Department. All transactions involving weapon disposal must have prior approval of the City Manager. A list of weapons being destroyed has been provided (attached), as Exhibit A – 30 long guns and 53 handguns. The destruction of the weapons will be witnessed and monitored by Staff.

Financial Considerations: None.

Legal Considerations: Upon review by the City Council, the necessary court documents will be prepared to proceed with destruction of the listed weapons.

Recommendations/Actions: It is recommended that the City Council receive and file the list of weapons.

Agenda Item No. 14.

TO: Mayor and City Council Members

SUBJECT: Settlement of Claim

INITIATED BY: Law Department

AGENDA: Consent

Recommendation: Authorize payment of \$125,000.00 as a full settlement of claims arising out of an automobile accident.

Background: On December 15, 2004, claimant was a passenger in a motor vehicle involved in an accident with a city employee; physical injuries are claimed as a result.

Analysis: After investigating the claim, evaluating the nature and extent of claimed injuries and damages, and considering the risks of trial, the City determined that a resolution of the matter was appropriate. After some discussion, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$125,000.00 as full settlement of all claims of this claimant, arising out of the collision.

Financial Considerations: Funding for this settlement is from the City's Tort Liability Fund.

Goal Impact: Safe and Secure Community.

Legal Consideration: The Law Department recommends acceptance of the offer of settlement.

Recommendations/Actions: It is recommended that the City Council authorize payment of \$125,000.00 as full settlement of all possible claims regarding this individual arising out of the accident which is the subject of this claim.

Agenda Item No.16.

TO: Mayor and City Council Members

SUBJECT: SUB 2006-58 -- Plat of The Home Depot Addition, Located on the Southwest Corner of 47th Street South and Broadway. (District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (11-1)

The Commissioner that cast the dissenting vote expressed concerns with the number of drainage conditions that had not been met.

Background: This site, consisting of six lots on 18.18 acres, is a replat of a portion of the Broadway 47 Plaza 2nd Addition. A zone change request (ZON 2006-26) from LC, Limited Commercial District to GC, General Commercial District has been approved for portions of the site, and it is subject to the Broadway 47 Plaza Commercial Community Unit Plan (CUP 2006-29/DP-28). A Notice of Community Unit Plan (CUP Certificate) has been submitted.

Analysis: Petitions, 100 percent, and a Certificate of Petitions have been submitted for sanitary sewer and water improvements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within 30 days. Publication of the Ordinance should be withheld until the plat is recorded with the Register of Deeds.

Financial Considerations: None.

Goal Impact: Ensure Efficient Infrastructure.

Legal Considerations: The Certificate of Petitions and CUP Certificate will be recorded with the Register of Deeds.

Recommendations/Actions: Approve the documents and plat, authorize the necessary signatures, adopt the Resolutions and approve first reading of the Ordinance.

Agenda Item No. 17.

TO: Mayor and City Council Members

SUBJECT: SUB 2006-61 -- Plat of Avalon Park 4th Addition, Located East of Tyler Road and North of 37th Street North. (District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

Background: This site, consisting of eight lots on 2.56 acres, is a replat of a portion of the Avalon Park 3rd Addition. This site is located in Wichita's city limits and is zoned SF-5, Single-Family Residential District.

Analysis: Petitions, 100 percent, and a Certificate of Petitions have been submitted for paving, sewer, water and drainage improvements. A Restrictive Covenant was submitted to: 1) provide the continued sharing in the ownership and maintenance responsibilities of the previously platted reserves in Avalon Park 3rd Addition that are not included in this site; and 2) provide four off-street parking spaces per dwelling unit on each lot that abuts a 58-foot street. A Restrictive Covenant was also submitted to provide for the ownership and maintenance of the reserves.

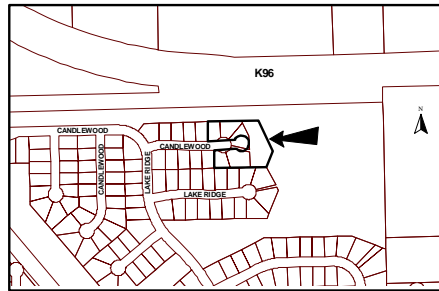
This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Financial Considerations: None.

Goal Impact: Ensure Efficient Infrastructure.

Legal Considerations: The Certificate of Petitions and Restrictive Covenants will be recorded with the Register of Deeds.

Recommendations/Actions: It is recommended that the City Council approve the documents and plat, adopt the Resolutions and authorize the necessary signatures.



Agenda Item No. 18.

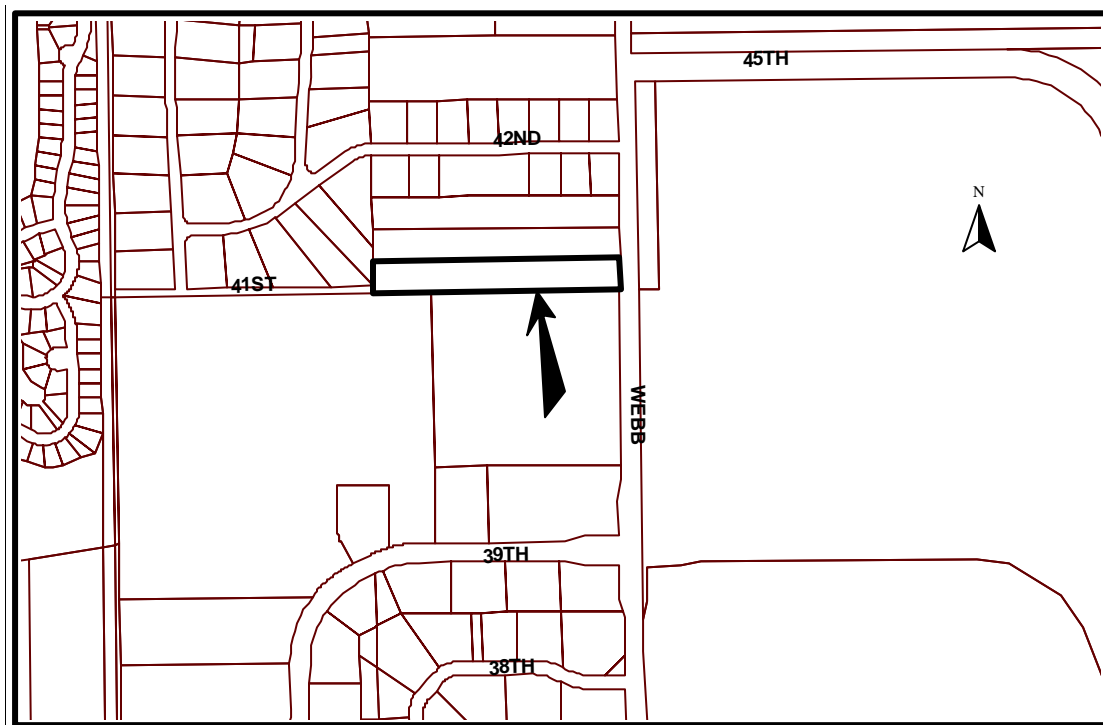
TO: Mayor and City Council Members

SUBJECT: ZON2001-00053 – Extension of time to complete the platting requirement for a zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial with a restrictive covenant to limit uses and modify development standards. Generally located south of 45th Street North and west of Webb Road (4211 N. Webb Road). District II

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning (Consent)

Staff Recommendation: Approve two-year extension of time to complete platting.



Background: On October 2, 2001, the City Council approved a zone change request from “SF-5” Single-Family Residential to “LI” Limited Industrial with a restrictive covenant to limit uses and modify development standards on property generally located south of 45th Street North and west of Webb Road at 4211 N. Webb Road. Approval of the request was subject to the condition of platting the property within one year. An application to plat the property was approved by the Metropolitan Area Planning Commission on March 21, 2002. Three one-year extensions of time to complete platting have been subsequently granted. The extended platting deadline was October 2, 2005; however, the applicant indicates that the additional time is needed due to the sale of the Ritchie Corporation. Therefore, the applicant has requested an additional two-year extension of time to complete platting. Such an extension of time to complete platting requires City Council approval.

Analysis: Staff recommends that an extension of time to complete platting requirements be granted to October 31, 2007. The City Council may deny the request for an extension of time to complete platting. Denying the extension would declare the zone change null and void and would require reapplication and rehearing if the property owner still desired a zone change.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality and Affordable Living.

Legal Considerations: No legal documents are required to enact the granting of platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Recommendations/Actions: Approve extension of time to complete platting to October 31, 2007.